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Administrative Order by Consent for a Non Time-Critical Removal Action, Master Metals, Inc., Cleveland, Ohio

On September 17, 2002, an Administrative Order by Consent (AOC) was signed to have the Respondents conduct a non time-critical (NTC) removal action for Master Metals Inc. (MMI), Cleveland, Ohio. Forty-eight respondents agreed to perform the NTC removal action for MMI, a 4.3 acre former lead smelting facility located in the industrial "flats" area of downtown Cleveland, Ohio.

On October 1997, the Respondents submitted the Engineering Evaluation and Cost Analysis (EE/CA) sampling plan for the U.S. EPA's approval. In 1999, the U.S. EPA provided for a period of public comment on the proposed clean up remedy for the lead contaminated soils. A public meeting for the proposed clean up remedy was held on March 18, 1999.

On September 30, 1999, the U.S. EPA signed an Action Memorandum for a NTC removal action at MMI. During the January 2000 AOC negotiations for the NTC removal action, a potential purchaser/redeveloper for the MMI Facility was identified by the City of Cleveland's Economic Development Department. To accommodate the Prospective Purchasers' planned redevelopment of the MMI Facility, the U.S. EPA issued a revised Action Memorandum to change the clean up remedy, a soil cover cap to an asphalt cap. The revised Action Memorandum was signed on September 22, 2000. A Prospective Purchaser Agreement (PPA) with Bredt/Zanick and the Northern Ohio Lumber and Timber Company (NOLTCO) became effective May 8, 2001. This PPA allowed NOLTCO to acquire the property and use the former MMI Facility for a lumber yard to store and sell lumber. The PPA also required NOLTCO, to undertake all Operation and Maintenance for the MMI Facility. Subsequently, NOLTCO agreed to become Limited Respondents for the Operation and Maintenance of the MMI Facility under the AOC. Many months of negotiations followed in an attempt to reach an agreement with all interested stakeholders (U. S. EPA, Ohio EPA, City of Cleveland, Limited Respondents, and Respondents). On September 17, 2002, Region 5 signed the AOC requiring the Respondents and Limited Respondents to conduct a NTC removal action for MMI, Cleveland, Ohio. The NTC removal action for this site is expected to begin mid October 2002.

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